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# Public Notice

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Public Notice No. 07-10

Date: January 31, 2007

Nashville District

Application No. 2003-01733 Expires: March 1, 2007

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Please address all written comments, by March 1, 2007, to:  
Nashville District Corps of Engineers, Regulatory Branch,  
3701 Bell Road, Nashville, TN 37214, Attn: Lisa Morris  
Telephone 615/369-7504

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## JOINT PUBLIC NOTICE

US ARMY CORPS OF ENGINEERS  
COMMONWEALTH OF KENTUCKY

**SUBJECT:** Proposed Deposit of Fill Material into 31 Ephemeral, 16 Intermittent, and 6 Perennial Streams, for the Realignment of 6.3 miles of US-641, in Caldwell and Crittenden County, KY (KTC Item No. 1-187.20 - US 641 Realignment)

**TO ALL CONCERNED:** The project described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 404 of the Clean Water Act (CWA)**. Before a permit can be issued, certification must be provided by the Commonwealth of Kentucky, Division of Water, pursuant to Section 401(a)(1) of the CWA, that applicable state water quality standards would not be violated. By copy of this notice, the applicant applies for the required certification.

**APPLICANT:** Kentucky Transportation Cabinet  
Department of Highways  
Station W5-22-02, 200 Mero Street  
Frankfort, KY 40622

**LOCATIONS:** Livingston Creek, Crooked Creek, and Unnamed Tributaries to Livingston Creek, Cruce Branch, and Crooked Creek, in Caldwell and Crittenden County, KY. A location map of the proposed project is attached as Exhibit A (1-3).

The proposed state-funded US-641 realignment project would connect Fredonia to Marion. The project site is located within the Fredonia and Marion USGS Quads, and begins and ends at latitude/ longitude coordinates 37° 13' 22.48" N, 88° 4' 2.16" and 37° 17' 17.04" N, 88° 4' 45.27" W, respectively.

**DESCRIPTION:** The proposed action consists of the realignment of approximately 6.3 miles of US-641 and the filling of 31 ephemeral, 16 intermittent and 6 perennial streams. The purpose of this project is to reduce travel time and improve safety by decreasing curve radius and frequency of an existing highway. The fill material would be native soil and rock from the project site. Approximately 13,439 cubic yards of soil and rock would be placed below the ordinary high water mark (OHWM) of streams throughout the project area. The surface area to be filled within the proposed project area involves 3.195 acres of streams. In addition, KYTC proposes to pay the amount of \$579,810 into the Kentucky Department of Fish and Wildlife Stream Restoration Fund. Plans of the proposed work may be obtained, by contacting Lisa Morris at (615) 369-7504 or the address above. The following is a description of the proposed work and proposed mitigation:

**Project  
Site No.**

**Project Description**

1. This is a road crossing of I-1, UT to Livingston Creek, near mainline station 100+78. A total of 841 feet (0.039 acre) of I-1 would be filled and its flow redirected through 749 feet of constructed flat-bottom channel and 218 feet of 36" culvert, with inlet and outlet headwall lengths of 15 and 6 feet, respectively. I-1 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **51.3 acres**.
  - **Total Project 404 Impacts: 841 feet (0.039 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
2. This is a road crossing of E-1, UT to Livingston Creek, near mainline station 113+74. A total of 383 feet (0.013 acre) of E-1 would be filled and its flow redirected through 147 feet of constructed flat-bottom channel and 204 feet of 36" culvert, with both inlet and outlet headwall lengths of 5 feet. E-1 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **15.6 acres**.
  - **Total Project 404 Impacts: 383 feet (0.013 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
3. This is a road crossing of E-2, UT to Livingston Creek, near mainline station 119+59. A total of 353 feet (0.081 acre) of E-2 would be filled and its flow redirected through 416 feet of constructed flat-bottom channel and 259 feet of 30" culvert, with both inlet and outlet headwall lengths of 5 feet. E-2 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed is **12.8 acres**.
  - **Total Project 404 Impacts: 353 feet (0.081 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
4. This is a road crossing of P-1, Livingston Creek, near mainline station 135+60. A total of 0 feet (0.000 acre) of P-1 would be filled as a 2-span bridge, 220 feet in length would span the stream banks with no impact. P-1 is a **USGS Blueline** stream, has a perennial flow regime and an upstream watershed **6,438.9 acres** in size.
  - **Total Project 404 Impacts: 0 feet (0.00 acre), Perennial; No Permit**

**Required**

- **Total Project 401 Impacts: 0 feet (0.00 acre); No Permit Required**

5. This is a road crossing of E-3 and E-4, UTs to Livingston Creek, near mainline station 135+90. A total of 124 feet (0.011 acre) of E-3 and 778 feet (0.143 acre) of E-4 would be filled and their flow redirected through 1,364 feet of constructed flat-bottom channel and 90 feet of 18" culvert. E-3 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **4.1 acres** in size. E-4 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **16.3 acres**.
- **Total Project 404 Impacts: 902 feet (0.154 acre), Ephemeral; Individual Permit**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
6. This is a road crossing of E-5, UT to Livingston Creek, near mainline station 154+05. A total of 157 feet (0.007 acre) of E-5 would be filled and its flow redirected through 41 feet of constructed flat-bottom channel and 224 feet of 24" culvert, with both inlet and outlet headwall lengths of 5 feet. E-5 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **4.6 acres**.
- **Total Project 404 Impacts: 157 feet (0.007 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
7. This is a road crossing of E-6 and E-7, UTs to Livingston Creek, near mainline station 157+85. A total of 280 feet (0.013 acre) of E-6 and 217 feet (0.015 acre) of E-7 would be filled and their flow redirected through 40 feet of constructed flat-bottom channel and 263 feet of 24" culvert, with both inlet and outlet headwall lengths of 5 feet. E-6 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **2.9 acres** in size. E-7 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **1.3 acres** in size.
- **Total Project 404 Impacts: 497 feet (0.028 acre), Ephemeral; NWP 14**
- Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
8. This is a road crossing of E-8, UT to Livingston Creek, near mainline station 160+78. A total of 519 feet (0.071 acre) of E-8 would be filled and its flow redirected through 69 feet of constructed flat-bottom channel and 343 feet of 30" culvert, with both inlet and outlet headwall lengths 5 feet. E-8 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **16.9 acres** in size.
- **Total Project 404 Impacts: 519 feet (0.071 acre), Ephemeral; NWP 14**
- Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
9. This is a road crossing of E-9 and E-10, UTs to Livingston Creek, near mainline station 165+36. A total of 170 feet (0.012 acre) of E-9 and 93 feet (0.013 acre) of E-10 would be filled and their flow redirected through 563 feet of constructed flat-bottom channel. E-9 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **2.9 acres** in size. E-10 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed of **1.3 acres** in size.
- **Total Project 404 Impacts: 263 feet (0.025 acre), Ephemeral; NWP 14**
- Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**

10. This is a road crossing of I-2, I-3 and E-11, UTs to Livingston Creek, near mainline station 173+80. A total of 966 feet (0.200 acre) of I-2, 271 feet (0.062 acre) of I-3 and 281 feet (0.039 acre) of E-11 would be filled and their flow redirected through 467 feet of constructed flat-bottom channel and 402 feet of 48" culvert, with both inlet and outlet headwall lengths of 5 feet. I-2 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **20.9 acres** in size. I-3 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **48.5 acres** in size. E-11 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **23.9 acres** in size.
- **Total Project 404 Impacts: 1,237 feet (0.301 acre), Intermittent; 281 feet (0.039 acre), Ephemeral; Individual Permit**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
11. This is a road crossing of I-4, E-12 and E-13, UTs to Livingston Creek, near mainline station 185+20. A total of 1,079 feet (0.198 acre) of I-4, 159 feet (0.011 acre) of E-12 and 26 feet (0.001 acre) of E-13 would be filled and their flow redirected through 696 feet of constructed flat-bottom channel and two 30" culverts, 260 feet in length, with inlet and outlet headwall lengths of 5 feet. I-4 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **27.7 acres** in size. E-12 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **3.6 acres** in size. E-13 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **5.0 acres** in size.
- **Total Project 404 Impacts: 1,079 feet (0.198 acre), Intermittent; 185 feet (0.012 acre), Ephemeral; Individual Permit**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
12. This is a road crossing of E-14, UT to Livingston Creek, near mainline station 195+70. A total of 372 feet (0.034 acre) of E-14 would be filled and its flow redirected through 86 feet of constructed flat-bottom channel and 267 feet of 24" culvert, with both inlet and outlet headwall lengths of 5 feet. E-14 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **9.7 acres** in size.
- **Total Project 404 Impacts: 372 feet (0.034 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
13. This is a road crossing of E-15, UT to Cruce Branch, near mainline station 204+86. A total of 257 feet (0.029 acre) of E-15 would be filled and its flow redirected through 91 feet of constructed flat-bottom channel and 240 feet of 24" culvert, with both inlet and outlet headwall lengths of 5 feet. E-15 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **10.6 acres** in size.
- **Total Project 404 Impacts: 257 feet (0.029 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
14. This is a road crossing of I-5, UT to Cruce Branch, near mainline station 212+71. A total of 376 feet (0.069 acre) of I-5 would be filled and its flow redirected through 113 feet of constructed flat-bottom channel and 213 feet of 48" culvert, with both inlet and outlet headwall lengths of 6 feet. I-5 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **48.0 acres** in size.
- **Total Project 404 Impacts: 376 feet (0.069 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**

15. This is a road crossing of E-16, UT to Cruce Branch, near mainline station 217+45. A total of 269 feet (0.019 acre) of E-16 would be filled and its flow redirected through 65 feet of 18" entrance pipe. E-16 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **5.7 acres** in size.
- **Total Project 404 Impacts: 269 feet (0.019 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
16. This is a road crossing of E-17, UT to Cruce Branch, near mainline station 219+00. A total of 368 feet (0.025 acre) of E-17 would be filled and its flow redirected through 690 feet of constructed flat-bottom channel. E-17 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **12.1 acres** in size.
- **Total Project 404 Impacts: 368 feet (0.025 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre) No Permit Required**
17. This is a road crossing of P-2, UT to Cruce Branch, near mainline station 233+44. A total of 567 feet (0.390 acre) of P-2 would be filled and its flow redirected through 45 feet of constructed flat-bottom channel and 309 feet of 10'x8' box culvert, with both inlet and outlet headwall lengths of 14 feet. P-2 is a **USGS Blueline** stream, has a perennial flow regime and an upstream watershed **304.2 acres** in size.
- **Total Project 404 Impacts: 567 feet (0.390 acre), Perennial; Individual Permit**
  - **Total Project 401 Impacts: 567 feet (0.390 acre); Individual WQC**
18. This is a road crossing of I-6, UT to Cruce Branch, near mainline station 26+80. A total of 58 feet (0.040 acre) of I-6 would be filled and its flow redirected through 27 feet of constructed flat-bottom channel and 68 feet of 48" culvert, with both inlet and outlet headwall lengths of 6 feet. I-6 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **73.7 acres** in size.
- **Total Project 404 Impacts: 58 feet (0.040 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
19. This is a road crossing of I-7, UT to Cruce Branch, near mainline station 240+85. A total of 424 feet (0.097 acre) of I-7 would be filled and its flow redirected through 105 feet of constructed flat-bottom channel and 278 feet of 42" culvert, with both inlet and outlet headwall lengths of 5 feet. I-7 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **27.3 acres** in size.
- **Total Project 404 Impacts: 424 feet (0.097 acre), Intermittent, NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
20. This is a road crossing of I-8 and E-18, UTs to Cruce Branch, near mainline station 248+78. A total of 779 feet (0.072 acre) of I-8 and 62 feet (0.014 acre) of E-18 would be filled and their flow redirected through 364 feet of constructed flat-bottom channel and 330 feet of 48" culvert, with both inlet and outlet headwall lengths of 5 feet. Flow would also be redirected to 71 feet of 54" culvert, with both inlet and outlet headwalls 6 feet in length. I-8 is a **USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **58.3 acres** in size. E-18 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **15.9 acres** in size.
- **Total Project 404 Impacts: 779 feet (0.072 acre), Intermittent; 62 feet (0.014 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 779 feet (0.072 acre); Individual WQC**

21. This is a road crossing of E-19, UT to Cruce Branch, near mainline station 259+00. A total of 264 feet (0.061 acre) of E-19 would be filled due to roadway construction activities. E-19 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **4.1 acres** in size.
- **Total Project 404 Impacts: 264 feet (0.061 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
22. This is a road crossing of E-20, UT to Cruce Branch, near mainline station 264+00. A total of 231 feet (0.021 acre) of E-20 would be filled due to roadway construction activities. E-20 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **4.6 acres** in size.
- **Total Project 404 Impacts: 231 feet (0.021 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
23. This is a road crossing of E-21, UT to Cruce Branch, near mainline station 267+86. A total of 86 feet (0.010 acre) of E-21 would be filled due to roadway construction activities. E-21 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **2.8 acres** in size.
- **Total Project 404 Impacts: 86 feet (0.010 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
24. This is a road crossing of I-9, E-22 and E-23, UTs to Cruce Branch, near mainline station 273+28. A total of 417 feet (0.115 acre) of I-9, 41 feet (0.008 acre) of E-22 and 101 feet (0.023 acre) of E-23 would be filled and their flow redirected through 118 feet of constructed flat-bottom channel and 231 feet of 60" culvert, with both inlet and outlet headwall lengths of 6 feet. I-9 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **75.8 acres** in size. E-22 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **0.5 acre** in size. E-23 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **12.3 acres** in size.
- **Total Project 404 Impacts: 417 feet (0.115 acre), Intermittent; 142 feet (0.031 acre), Ephemeral; Individual Permit**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
25. This is a road crossing of P-3 and E-24, UT to Cruce Branch and Cruce Branch, near mainline station 282+85. A total of 833 feet (0.191 acre) of P-3 and 89 feet (0.020 acre) of E-24 would be filled and their flow redirected through 217 feet of constructed flat-bottom channel and 337 feet of 6'x8' box culvert, with both inlet and outlet headwall lengths of 10 feet. P-3 is a **USGS Blueline** stream, has a perennial flow regime and an upstream watershed **217.2 acres** in size. E-24 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **3.0 acres** in size.
- **Total Project 404 Impacts: 833 feet (0.191 acre), Perennial; 89 feet (0.020 acre), Ephemeral; Individual Permit**
  - **Total Project 401 Impacts: 833 feet (0.191 acre); Individual WQC**
26. This is a road crossing of I-10, UT to Cruce Branch, near mainline station 289+12. A total of 318 feet (0.015 acre) of I-10 would be filled and its flow redirected through 63 feet of constructed flat-bottom channel and 256 feet of 42" culvert, with both inlet and outlet headwall lengths of 10 feet. I-10 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **30.2 acres** in size.
- **Total Project 404 Impacts: 318 feet (0.015 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**

27. This is a road crossing of E-25 and E-26, UTs to Cruce Branch, near mainline station 291+77. A total of 267 feet (0.018 acre) of E-25 and 358 feet (0.016 acre) of E-26 would be filled and their flow redirected through 145 feet of constructed flat-bottom channel and 231 feet of 42" culvert, with both inlet and outlet headwall lengths of 5 feet. E-25 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **14.3 acres** in size. E-26 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **6.4 acres** in size.
- **Total Project 404 Impacts: 625 feet (0.034 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
28. This is a road crossing of E-27, UT to Cruce Branch, near mainline station 292+60. A total of 997 feet (0.046 acre) of E-27 would be filled and its flow redirected through 931 feet of constructed flat-bottom channel and 130 feet of 24" entrance pipe. E-27 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **15.9 acres** in size.
- **Total Project 404 Impacts: 997 feet (0.046 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
29. This is a road crossing of E-28, a UT to Crooked Creek, near mainline station 309+00. A total of 347 feet (0.024 acre) of E-28 would be filled and its flow redirected through 70 feet of constructed flat-bottom channel and 227 feet of 30" culvert, with both inlet and outlet headwall lengths of 5 feet, respectively. E-28 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **15.6 acres** in size.
- **Total Project 404 Impacts: 347 feet (0.024 acre), Ephemeral; NWP No. 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
30. This is a road crossing of I-11, a UT to Crooked Creek, near mainline station 313+32. A total of 339 feet (0.039 acre) of I-11 would be filled and its flow redirected through 123 feet of constructed flat-bottom channel and 195 feet of 36" culvert, with both inlet and outlet headwall lengths of 5 feet. I-11 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **19.6 acres** in size.
- **Total Project 404 Impacts: 339 feet (0.039 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
31. This is a road crossing of I-12, a UT to Crooked Creek, near mainline station 315+82. A total of 275 feet (0.025 acre) of I-12 would be filled and its flow redirected through 74 feet of constructed flat-bottom channel and 198 feet of 24" culvert, with inlet and outlet headwall lengths of 5 feet. I-12 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **45.0 acres** in size.
- **Total Project 404 Impacts: 275 feet (0.025 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
32. This is a road crossing of I-13 and I-14, a UT to Crooked Creek, near mainline station 329+20. A total of **585 feet (0.027 acre)** of I-13 and **345 feet (0.048 acre)** of I-14 would be filled and their flow redirected through 610 feet of constructed flat-bottom channel and 215 feet of 60" culvert, with both inlet and outlet headwall lengths of 6 feet. I-13 is a **USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **72.1 acres** in size. I-14 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **49.2 acres** in size.
- **Total Project 404 Impacts: 930 feet (0.075 acre), Intermittent; NWP 14**
  - **Total Project 401 Impacts: 585 feet (0.027 acre); Individual WQC**

33. This is a road crossing of E-29, a UT to Crooked Creek, near mainline station 336+29. A total of 368 feet (0.017 acre) of E-29 would be filled and its flow redirected through 264 feet of constructed flat-bottom channel and 181 feet of 24" culvert, with both inlet and outlet headwall lengths of 5 feet. E-29 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **8.3 acres**.
- **Total Project 404 Impacts: 368 feet (0.017 acre), Ephemeral; NWP 14**
  - **Total Project 401 Impacts: 0 feet (0.000 acre); No Permit Required**
34. This is a road crossing of P-4 and E-30, a UT to Crooked Creek, near mainline station 348+18. A total of 312 feet (0.036 acre) of P-4 and 157 feet (0.004 acre) of E-30 would be filled and their flow redirected through 223 feet of constructed flat-bottom channel and 218 feet of 10'x8' box culvert, with both inlet and outlet headwall lengths of 13 feet. P-4 is a **USGS Blueline** stream, has a perennial flow regime and an upstream watershed **251.6 acres** in size. E-30 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed **10.5 acres** in size.
- **Total Project 404 Impacts: 312 feet (0.036 acre), Perennial; 157 feet (0.004 acre); NWP 14**
  - **Total Project 401 Impacts: 312 feet (0.036 acre); Individual WQC**
35. This is a road crossing of P-5, I-15 and E-31, a UT to Crooked Creek and Crooked Creek, near mainline station 367+50. A total of 851 feet (0.293 acre) of P-5, 302 feet (0.055 acre) of I-15 and 670 feet (0.062 acre) of E-31 would be filled. P-5 would be filled and redirected to a 289 feet of 14'x10' box culvert with both inlet and outlet headwall lengths of 16 feet. I-15 would be filled and redirected to 158 feet of constructed flat-bottom channel and 90 feet of 48" culvert, with both inlet and outlet headwall lengths of 6 feet. E-31 is a former ephemeral drainage that is currently impounded as a 2.8 acre pond. This feature would be drained and filled, and redirected to 313 feet of constructed flat-bottom channel and 75 feet of 36" pipe, with both inlet and outlet headwall lengths of 5 feet. P-5 is a **USGS Blueline** stream, has a perennial flow regime and an upstream watershed **777.7 acres** in size. I-15 is a **non-USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **65.3 acres** in size. E-31 is a **non-USGS Blueline** stream, has an ephemeral flow regime and an upstream watershed of **11.2 acres** in size.
- **Total Project 404 Impacts: 851 feet (0.293 acre), Perennial; 302 feet (0.055 acre) Intermittent; 670 feet (0.062 acre), Ephemeral; Individual Permit**
  - **Total Project 401 Impacts: 851 feet (0.293 acre); Individual WQC**

36. This is a road crossing of I-16, a UT to Crooked Creek, near mainline station 390+00. A total of 504 feet (0.231 acre) of I-16 would be filled and its flow redirected through 145 feet of constructed flat-bottom channel and 282 feet of 60" culvert, with both inlet and outlet headwall lengths of 6 feet. I-16 is a **USGS Blueline** stream, has an intermittent flow regime and an upstream watershed **86.6 acres** in size.
- **Total Project 404 Impacts: 504 feet (0.231 acre), Intermittent; Individual Permit**
  - **Total Project 401 Impacts: 504 feet (0.231 acre); Individual WQC**
37. This is a road crossing of P-6, a UT to Crooked Creek, near mainline station 412+51. A total of 239 feet (0.093 acre) of P-6 would be filled and its flow redirected through 95 feet of constructed flat-bottom channel and 140 feet of 20'x9' box culvert, with both inlet and outlet headwall lengths of 15 feet. P-5 is a **USGS Blueline** stream, has a perennial flow regime and an upstream watershed **610.4 acres**.
- **Total Project 404 Impacts: 239 feet (0.093 acre), Perennial; NWP 14**
  - **Total Project 401 Impacts: 239 feet (0.093 acre); Individual WQC**

**File No. 2003-01733**  
**Public Notice 07-10**

**Stream Mitigation** - The KTC has investigated the potential for on-site mitigation, determined that none is practicable, and proposes that mitigation be in the form of in-lieu fee, where the KTC proposes to pay the amount of \$579,810 into the Kentucky Department of Fish and Wildlife Stream Restoration Fund. In-lieu fees would be paid for each separate project that has cumulative impact greater than 0.10 acre of jurisdictional waters of the US. The fees are calculated by multiplying the length of impact by a mitigation ratio multiplier based on flow regime and the EPA Rapid Bioassessment Protocol. A summary for expected in-lieu fees are shown in the attached Exhibit B (1-2).

The decision whether to issue a permit would be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision would reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the work, would be considered including the cumulative effects; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion, accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest would include application of the guidelines promulgated by the Administrator, Environmental Protection

Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit would be granted unless the District Engineer determines it to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Comments received would be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National

**File No. 2003-01733**  
**Public Notice 07-10**

Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An EA would be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

Section 106 of the National Historic Preservation Act has been addressed through the applicant's consultation with the Kentucky State Historic Preservation Officer (SHPO). As a result, the SHPO submitted information that indicates that the project would have No Adverse Effect on historic properties. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the SHPO.

Section 7 of the Endangered Species Act is currently being addressed through consultation by the applicant with the US Fish and Wildlife Service. A Biological Assessment is to be conducted in Summer of 2007.

In addition to the DA permit, other federal, state, and/or local approvals may be required for the proposed work. Water quality certification is required. Point of contact with the Kentucky Division of Water is Barbara Scott, 14 Reilly Road, Frankfort, KY 40601, (502) 564-3410.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for hearings shall state, with particularity, the reasons for holding a hearing. Written statements received in this office on or before **March 1, 2007**, would become a part of the record and considered in the determination. Copies of all comments would be sent to the state to become part of their records on the proposal. Any response to this notice should be directed to the Regulatory Branch, Attn: Lisa Morris, at the above address, telephone (615) 369-7504.

# Matchline Overview Map (2 of 3)

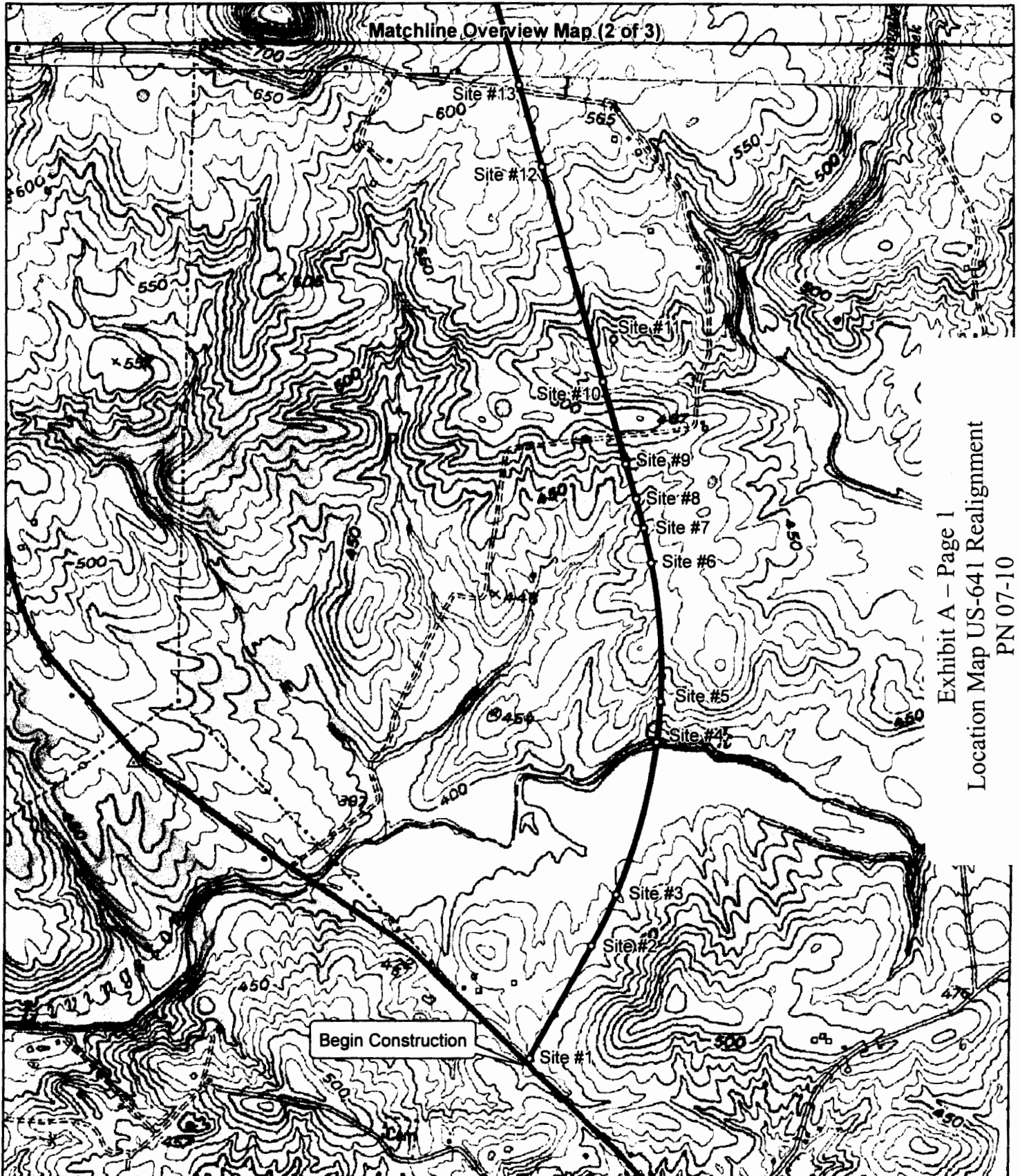


Exhibit A - Page 1  
Location Map US-641 Realignment

PN 07-10

File No. 2003-01733

## Overview Map (1 of 3)

US-641 Realignment  
Caldwell and Crittenden Counties, KY  
KYTC Item No. 1-187.20

Fuller  
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Scott &  
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**FMSM**  
**ENGINEERS**

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350 Missouri Avenue  
Jeffersonville, Indiana  
47130-3001  
812-208-0100

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### Base Map Sources:

- USGS Fredonia Quad
- USGS Marion Quad

○ Project Site Location

— Proposed Alignment



1 inch equals 1,300 feet

0 650 1,300 2,600  
Feet

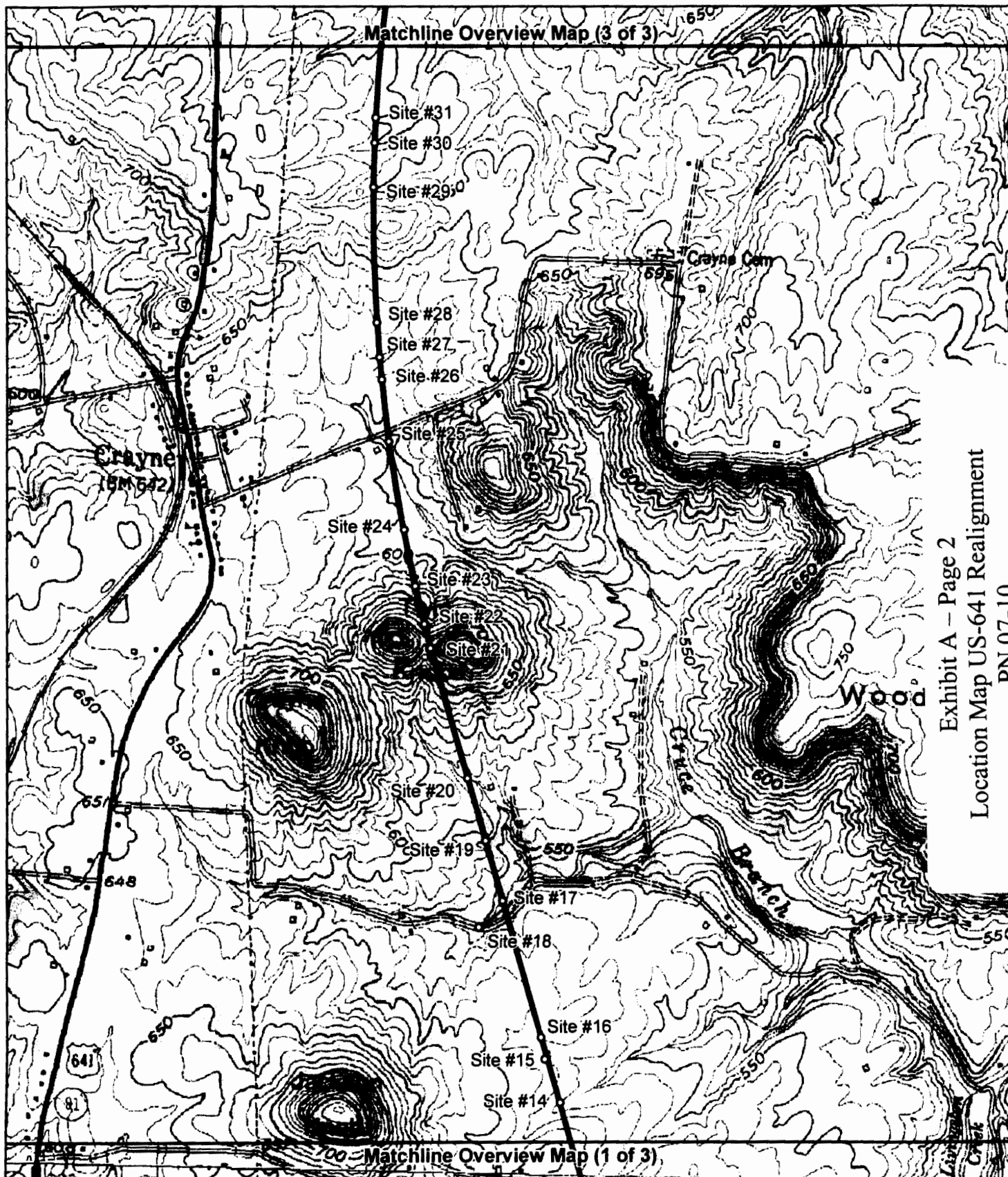


Exhibit A - Page 2  
Location Map US-641 Realignment  
PN 07-10

File No. 2003-01733

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Jeffersonville, Indiana  
47130-3001  
812-239-0100

LEXINGTON ST. LOUIS LOUISVILLE CINCINNATI ATLANTA COLUMBUS

## Overview Map (2 of 3)

US-641 Realignment  
Caldwell and Crittenden Counties, KY  
KYTC Item No. 1-187.20

### Base Map Sources:

- USGS Fredonia Quad
- USGS Marion Quad

○ Project Site Location

— Proposed Alignment



1 inch equals 1,300 feet

0 650 1,300 2,600 Feet

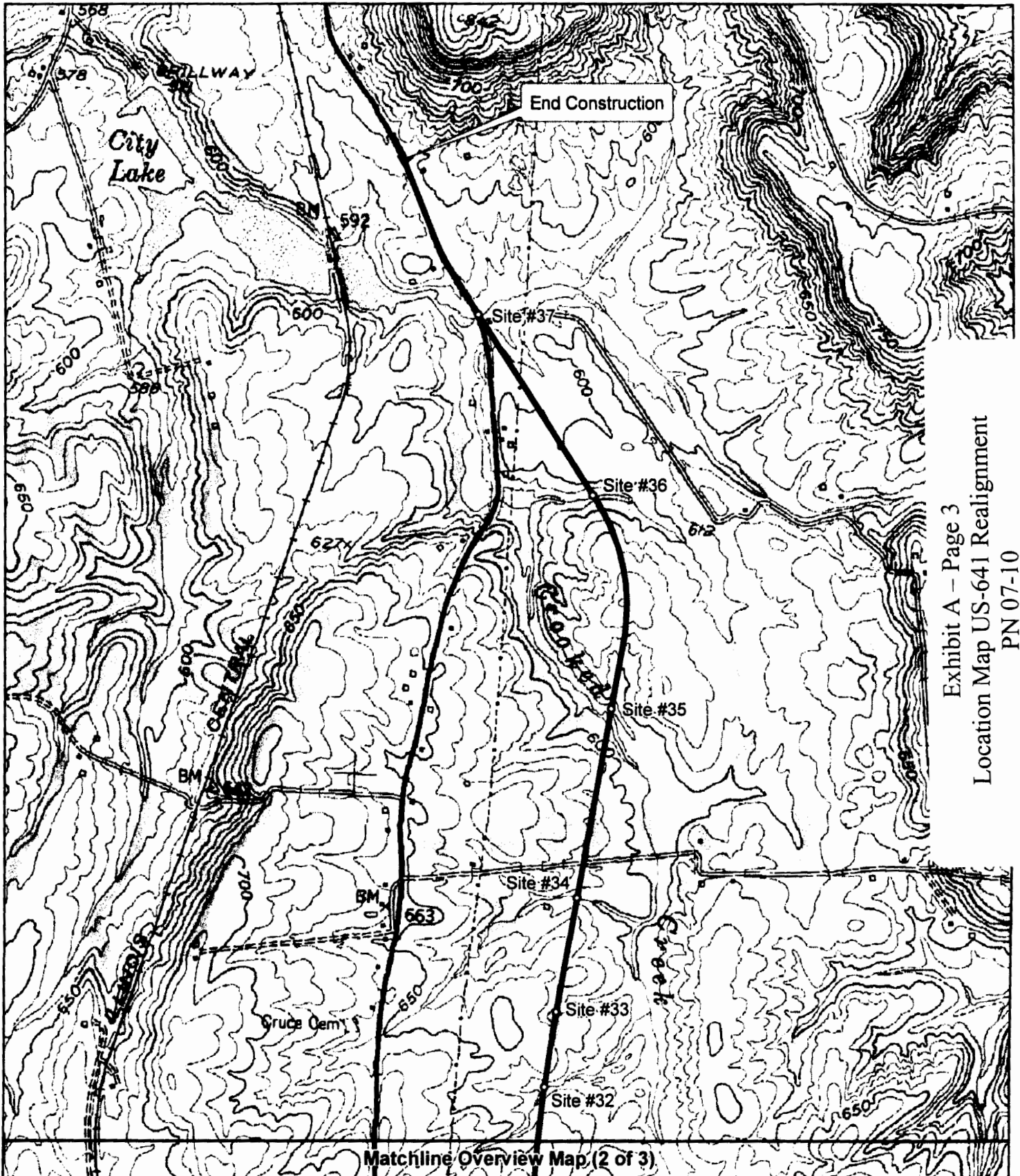


Exhibit A - Page 3  
Location Map US-641 Realignment  
PN 07-10

File No. 2003-01733

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812-208-0100

LEXINGTON ST LOUIS LOUISVILLE CINCINNATI ATLANTA COLUMBUS  
JEFFERSONVILLE

## Overview Map (3 of 3)

US-641 Realignment  
Caldwell and Crittenden Counties, KY  
KYTC Item No. 1-187.20

### Base Map Sources:

- USGS Fredonia Quad
- USGS Marion Quad

○ Project Site Location

— Proposed Alignment



1 inch equals 1,300 feet

0 650 1,300 2,600  
Feet

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Table 1. Summary of 401/404 Stream Impacts

Project Site No.	Stream ID	Latitude, Longitude	Flow Regime	Watershed Area Upstream of Impact (acres)	JWUS <sup>1</sup> Length of Stream Impact (feet)	CORPS JWUS <sup>1</sup> Area of Impact (acres)	USGS Blueline Stream	JWKY <sup>2</sup> Length of Stream Impact (feet)	JWKY <sup>2</sup> Area of Impact (acres)
1	I-1	88° 4' 2.16" W, 37° 13' 22.48" N	intermittent	51.3	841	0.039	no	0	0.000
2	E-1	88° 3' 54.53" W, 37° 13' 33.77" N	ephemeral	15.6	383	0.013	no	0	0.000
3	E-2	88° 3' 51.13" W, 37° 13' 38.66" N	ephemeral	12.8	353	0.081	no	0	0.000
4	P-1	88° 3' 45.82" W, 37° 13' 53.34" N	perennial	6438.9	0	0.000	yes	0	0.000
5	E-3	88° 3' 45.82" W, 37° 13' 57.67" N	ephemeral	4.1	124	0.011	no	0	0.000
6	E-4	88° 3' 47.26" W, 37° 13' 54.33" N	ephemeral	16.3	778	0.143	no	0	0.000
7	E-5	88° 3' 48.65" W, 37° 14' 11.39" N	ephemeral	4.6	157	0.007	no	0	0.000
8	E-6	88° 3' 49.83" W, 37° 14' 15.01" N	ephemeral	2.9	280	0.013	no	0	0.000
9	E-7	88° 3' 50.58" W, 37° 14' 15.31" N	ephemeral	1.3	217	0.015	no	0	0.000
10	E-8	88° 3' 49.47" W, 37° 14' 18.55" N	ephemeral	16.9	519	0.071	no	0	0.000
11	E-9	88° 3' 52.51" W, 37° 14' 20.98" N	ephemeral	2.9	170	0.012	no	0	0.000
12	E-10	88° 3' 52.97" W, 37° 14' 21.30" N	ephemeral	1.3	93	0.013	no	0	0.000
13	I-2	88° 3' 57.28" W, 37° 14' 31.51" N	intermittent	20.9	966	0.200	no	0	0.000
14	I-3	88° 3' 53.91" W, 37° 14' 30.23" N	intermittent	48.5	271	0.062	no	0	0.000
15	E-11	88° 3' 57.27" W, 37° 14' 30.17" N	ephemeral	23.9	281	0.039	no	0	0.000
16	I-4	88° 3' 53.27" W, 37° 14' 34.10" N	intermittent	27.7	1,079	0.198	no	0	0.000
17	E-12	88° 3' 57.87" W, 37° 14' 40.25" N	ephemeral	3.6	159	0.011	no	0	0.000
18	E-13	88° 3' 53.35" W, 37° 14' 34.88" N	ephemeral	5.0	26	0.001	no	0	0.000
19	E-14	88° 4' 1.13" W, 37° 14' 50.78" N	ephemeral	9.7	372	0.034	no	0	0.000
20	E-15	88° 4' 4.91" W, 37° 14' 59.44" N	ephemeral	10.6	257	0.029	no	0	0.000
21	I-5	88° 4' 8.29" W, 37° 15' 7.94" N	intermittent	48.0	376	0.069	no	0	0.000
22	E-16	88° 4' 11.25" W, 37° 15' 11.72" N	ephemeral	5.7	269	0.019	no	0	0.000
23	E-17	88° 4' 11.85" W, 37° 15' 13.92" N	ephemeral	12.1	368	0.025	no	0	0.000
24	P-2	88° 4' 17.52" W, 37° 15' 27.50" N	perennial	304.2	567	0.390	yes	567	0.390
25	I-6	88° 4' 19.92" W, 37° 15' 25.19" N	intermittent	73.7	58	0.040	no	0	0.000

<sup>1</sup> Jurisdictional Waters of the United States; Regulated by the USACE under Section 404 of the Clean Water Act  
<sup>2</sup> Jurisdictional Waters of Kentucky; Regulated by the KDOW under Section 401 of the Clean Water Act

Project Site No.	Stream ID	Latitude, Longitude	Flow Regime	Watershed Area Upstream of Impact (acres)	JWUS <sup>1</sup> Length of Stream Impact (feet)	JWUS <sup>1</sup> Area of Impact (acres)	USGS Blueline Stream	JWKY <sup>2</sup> Length of Stream Impact (feet)	JWKY <sup>2</sup> Area of Impact (acres)
19	I-7	88° 4' 19.19" W, 37° 15' 33.53" N	intermittent	27.3	424	0.097	no	0	0.000
20	I-8	88° 4' 21.11" W, 37° 15' 39.80" N	intermittent	58.3	779	0.072	yes	779	0.072
	E-18	88° 4' 18.34" W, 37° 15' 38.34" N	ephemeral	15.9	62	0.014	no	0	0.000
21	E-19	88° 4' 27.68" W, 37° 15' 51.58" N	ephemeral	4.1	264	0.061	no	0	0.000
22	E-20	88° 4' 27.03" W, 37° 15' 56.85" N	ephemeral	4.6	231	0.021	no	0	0.000
23	E-21	88° 4' 28.53" W, 37° 15' 59.51" N	ephemeral	2.8	86	0.010	no	0	0.000
24	I-9	88° 4' 30.09" W, 37° 16' 4.78" N	intermittent	75.8	417	0.115	no	0	0.000
	E-22	88° 4' 32.01" W, 37° 16' 5.09" N	ephemeral	0.5	41	0.008	no	0	0.000
	E-23	88° 4' 32.30" W, 37° 16' 4.60" N	ephemeral	12.3	101	0.023	no	0	0.000
25	P-3	88° 4' 31.52" W, 37° 16' 11.04" N	perennial	217.2	833	0.191	yes	833	0.191
	E-24	88° 4' 34.13" W, 37° 16' 15.36" N	ephemeral	3.0	89	0.020	no	0	0.000
26	I-10	88° 4' 34.69" W, 37° 16' 19.67" N	intermittent	30.2	318	0.015	no	0	0.000
27	E-25	88° 4' 34.70" W, 37° 16' 21.87" N	ephemeral	14.3	267	0.018	no	0	0.000
	E-26	88° 4' 34.60" W, 37° 16' 22.24" N	ephemeral	6.4	358	0.016	no	0	0.000
28	E-27	88° 4' 36.17" W, 37° 16' 24.74" N	ephemeral	15.9	997	0.046	no	0	0.000
29	E-28	88° 4' 36.34" W, 37° 16' 39.44" N	ephemeral	15.6	347	0.024	no	0	0.000
30	I-11	88° 4' 36.17" W, 37° 16' 43.49" N	intermittent	19.6	339	0.039	no	0	0.000
31	I-12	88° 4' 35.27" W, 37° 16' 46.16" N	intermittent	45.0	275	0.025	no	0	0.000
32	I-13	88° 4' 36.14" W, 37° 16' 56.30" N	intermittent	72.1	585	0.027	yes	585	0.027
	I-14	88° 4' 35.04" W, 37° 16' 59.20" N	intermittent	49.2	345	0.048	no	0	0.000
33	E-29	88° 4' 32.56" W, 37° 17' 6.94" N	ephemeral	8.3	368	0.017	no	0	0.000
34	P-4	88° 4' 31.69" W, 37° 17' 18.20" N	perennial	251.6	312	0.036	yes	312	0.036
	E-30	88° 4' 32.32" W, 37° 17' 17.37" N	ephemeral	10.5	157	0.004	no	0	0.000
35	P-5	88° 4' 31.66" W, 37° 17' 18.23" N	perennial	777.7	851	0.293	yes	851	0.293
	I-15	88° 4' 31.40" W, 37° 17' 37.45" N	intermittent	65.3	302	0.055	no	0	0.000
	E-31	88° 4' 31.89" W, 37° 17' 39.09" N	ephemeral	11.2	670	0.062	no	0	0.000
36	I-16	88° 4' 31.92" W, 37° 17' 58.47" N	intermittent	86.6	504	0.231	yes	504	0.231
37	P-6	88° 4' 45.27" W, 37° 17' 17.04" N	perennial	610.4	239	0.093	yes	239	0.093

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<sup>2</sup>Jurisdictional Waters of Kentucky; Regulated by the KDOW under Section 401 of the Clean Water Act